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5 Attorneys for Plaintiff  
6 United States of America  
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10  
11 UNITED STATES DISTRICT COURT  
12 EASTERN DISTRICT OF CALIFORNIA

13 In re: Marijuana Possession Dismissals )  
14 Pursuant to October 6, 2022, Presidential )  
15 Proclamation Pardoning Individuals for the ) UNITED STATES'S MOTION TO DISMISS AND  
16 Offense of Simple Possession of Marijuana ) RECALL BENCH WARRANTS;  
17 ) ORDER  
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**Dismissal of Marijuana Possession Cases Pursuant to Presidential Pardon**

By a presidential proclamation on October 6, 2022, President Biden announced a pardon for federal misdemeanor marijuana possession offenses.<sup>1</sup> Pursuant to that presidential pardon and Rule 48(a) of the Federal Rules of Criminal Procedure, plaintiff United States of America, by and through its undersigned attorney, hereby moves this Honorable Court for an Order dismissing the 196 misdemeanor marijuana possession cases listed in Exhibit A to this motion, and to recall all associated warrants.

The list below contains those Eastern District of California marijuana possession cases that the U.S. Attorney's office has identified to date as still pending before the Sacramento division of the

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<sup>1</sup> See <https://www.whitehouse.gov/briefing-room/presidential-actions/2022/10/06/granting-pardon-for-the-offense-of-simple-possession-of-marijuana/> (last accessed August 7, 2023).

1 district, including Redding, that have assigned ECF case numbers. Many of these cases remain open  
2 because they are in warrant status. Consistent with President Biden's proclamation, the government  
3 therefore requests that this Court order dismissal of these cases and recall of all associated warrants.

4 Respectfully submitted,

5 Dated: August 8, 2023

6 PHILLIP A. TALBERT  
United States Attorney

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9 CHRISTOPHER S. HALES  
10 Assistant United States Attorney

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12 **ORDER**

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14 As Chief Magistrate Judge for the Eastern District of California, and pursuant to the motion of  
15 the United States, I hereby order dismissal of each misdemeanor marijuana possession case listed below  
16 in Exhibit A, and the recall of all warrants associated with each case. I further direct the Clerk of the  
17 Court to file a copy of this signed order in each of the cases listed below.

18 IT IS SO ORDERED.

19 Dated: August 9, 2023

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22 KENDALL J. NEWMAN  
23 UNITED STATES MAGISTRATE JUDGE

## **Exhibit A**

### **List of Cases to be Dismissed**

	ECF Case Number	Defendant
1	2:17-PO-00495-DB	Jose Rosas
2	2:18-PO-00011-AC	Frank Martinez
3	2:18-PO-00138-AC	Daniel R. Carlson
4	2:18-PO-00149-DB	Robert Mesta
5	2:18-PO-00331-DB	Kevin B. Cowan
6	2:19-PO-00032-AC	Cherish Carter
7	2:19-PO-00304-DB	Joshua N. Stark
8	2:20-PO-00038-AC	Aron Daniel
9	2:20-PO-00040-AC	Michael V. Dzigorski
10	2:20-PO-00205-KJN	Scott S. Barrett
11	2:20-PO-00300-EFB	Mario Bargas
12	2:20-PO-00462-DB	Shaundell M. Hatcher-Harris
13	2:20-PO-00479-CKD	Jasmine Moschell
14	2:20-PO-00562-CKD	Robert Williams
15	2:20-PO-00602-DB	Thomas Hasch
16	2:21-PO-00159-AC	Zachary J. Noack
17	2:21-PO-00195-DB	Anthony Wright
18	2:21-PO-00274-CKD	Winston Jackson
19	2:21-PO-00282-CKD	Kurt Smith
20	2:21-PO-00369-JDP	Michael R. Block
21	2:21-PO-00390-JDP	Michael Meletiou
22	2:21-PO-00395-JDP	Hosanna Perez
23	2:21-PO-00405-JDP	Allen White
24	2:21-PO-00421-AC	Donald Clontz
25	2:21-PO-00442-AC	Robert T. Ocoboc
26	2:21-PO-00475-KJN	Harold Deaulette
27	2:22-PO-00020-KJN	Michael A. Heller
28	2:22-PO-00235-DB	Michael Binder
29	3:16-PO-00006-CMK	Mindy J. Gaede
30	3:16-PO-00008-CMK	Tonka Gritts
31	3:16-PO-00016-CMK	Johnny C. Lor
32	3:16-PO-00019-CMK	Stephen Lundquist
33	3:16-PO-00021-CMK	Warren Martin
34	3:16-PO-00026-CMK	Dwayne Meyers
35	3:16-PO-00034-CMK	Johnny Lou

	<b>ECF Case Number</b>	<b>Defendant</b>
1	36	Oliver Fresquez
2	37	Ronald Kistle
3	38	William Carter
4	39	Jeremy Deleal
5	40	Peter S. Graf
6	41	Gregory Crater
7	42	John Moreno
8	43	Silvestre Nevarez
9	44	Thomas Bailey
10	45	Tory Smith
11	46	Larry E. Sipes
12	47	Anthony E. Deal
13	48	Lee Khang
14	49	Madison E. Bonnel
15	50	Rogelio Deival-Riggs
16	51	Warren Martin
17	52	William C. Moon
18	53	James E. Crosley
19	54	Devin C. Johnson
20	55	William R. Winstead
21	56	Emillano D. Herrera-Anaya
22	57	Tanyia E. Callahan
23	58	Davis L. Cutter
24	59	Tiffany Haner
25	60	Rosser L. Jones
26	61	Joshua A. Levi
27	62	Eric L. Milam
28	63	Justin T. Resmondo
	64	Lai H. Saeyang
	65	Danford L. Schow
	66	Robert A. Edwards
	67	Joseph V. Trevino
	68	Paul Vaughan
	69	James M. Atwood
	70	Michael A. Fontes
	71	Michael B. Yingling
	72	William A. Abrego
	73	Charles M. Niemeien
	74	Amy Tiner
	75	Kevin L. Turner
	76	Tianna M. Lee

	<b>ECF Case Number</b>	<b>Defendant</b>
1	77	Travis A. Gendreau
2	78	Marcus A. Collins
3	79	Gary S. Due
4	80	Sergio Guerrero Jr
5	81	Zachary T. Hobbs
6	82	Robert A. Jones Jr
7	83	Katie V. Lucas
8	84	Alexandrya Magdalenochapman
9	85	James Pawlyk
10	86	Christopher W. Rathja Jr
11	87	Nicholas Schave
12	88	Jodie A. Teal
13	89	Justin L. Wade
14	90	Franklin A. Williams
15	91	Rodney W. Young
16	92	Sarah S. Hayburn
17	93	Giovanni A. Cabrera-Caicedo
18	94	Antonio J. Ramirez
19	95	Ruben Vargas
20	96	Gary T. Haren
21	97	Brandon Birron
22	98	Alexander W. Calvert
23	99	Carlos X. Cruz
24	100	James O. Hamilton II
25	101	Eric L. Hatfield
26	102	Larry Laird
27	103	Jaime E. Montana Equihua
28	104	Sarah E. Preston
	105	Evan Stowers
	106	Lorrie M. Robinson
	107	Amber Yates
	108	Albert Hernandez
	109	Jeffrey J. Quinlain
	110	Jon W. Payne
	111	Roy J. Petersen
	112	Franklin A. Patty
	113	Nhou C. Vang
	114	Charles K. Day
	115	Bobby Manjoet
	116	Michael J. Singer
	117	Daniel R. Bordner

	<b>ECF Case Number</b>	<b>Defendant</b>
1	118	Nicholas P. Johnson
2	119	Tou Thao
3	120	Caleb L. Centeno
4	121	Darrin R. Dickson
5	122	John A. Gray Jr
6	123	Jackson C. Kircher
7	124	Tracy A. Line
8	125	Maguel K. Mendez
9	126	Casey J. Rowland
10	127	Deborah Stein
11	128	Antonia D. Bautist-Adalson
12	129	Jullian J. Haymon
13	130	Kiel Laubisch
14	131	Ton Fow Saephan
15	132	Deon M. Stanford
16	133	Jose F. Mendoza
17	134	Rachel I. Rabago
18	135	Eberto Tafolla-Solorio
19	136	Ethan J. Willison
20	137	Riley E. Young
21	138	Brian J. Schricker
22	139	Aaron D. Hightower
23	140	Richard E. Kiser Jr
24	141	Michael A. Crist
25	142	Danny Pitcher
26	143	Fermin C. Salas Jr
27	144	Christina M. Halcon
28	145	Billy W. Larkins
	146	Candice R. Beals
	147	Ismael Caro Jr
	148	Christian C. Arguello
	149	Daniel R. Bowman
	150	Jerry W. Cox
	151	Nathaniel E. Craig
	152	Rachelle L. Munoz
	153	Troy C. Tolan
	154	Santiago D. Ibanez
	155	James Thomas
	156	Jose U. Alvarez-Madrigal
	157	Julie M. Byers
	158	Zachary M. Hancock

	<b>ECF Case Number</b>	<b>Defendant</b>
1	159	Adrian L. Henson
2	160	Jon U. Hershman
3	161	Jesse C. Keisner
4	162	Jason F. Munoz
5	163	Steven W. Schick
6	164	Dustin W. Webster
7	165	Arthur Chacon
8	166	Vincent Galindo
9	167	Shane L. Hayes
10	168	Matthew C. Morrison
11	169	Kevin L. Son
12	170	Simon L. Bigall
13	171	Ashley Hitcher
14	172	Robert J. McMaster
15	173	Jim H. Harper
16	174	Juan Perez
17	175	Jose J. Esparza
18	176	Jon W. Graham
19	177	Levi M. Rogers
20	178	Rebecca Clarke
21	179	Jade S. Wilt
22	180	Milton L. Booker
23	181	Johnny W. Gragg
24	182	David W. Griffin
25	183	Tia A. Smith
26	184	Colton Hastings
27	185	Adrienne J. Blake
28	186	Brian D. Tynes
	187	Anthony Jimenez
	188	Michael J. McDonald
	189	Eli J. Hancock
	190	Christopher L. Simmons
	191	Sean Roccoforte
	192	Valeria C. Diaz
	193	Peter J. Grundig
	194	Domanick W. Rawlins
	195	Brandy L. Bemis
	196	Karolina Hajdas